

## UNITED STATES DISTRICT COURT

for the  
District of Arizona9/27/17  
MA  
United States of America )

v. )

Pedro Manuel Celaya-Monge,  
a.k.a.: Sergio Mose Mendoza,  
( A 098 430 392 )Defendant )

Case No. 17-420MJ

## CRIMINAL COMPLAINT

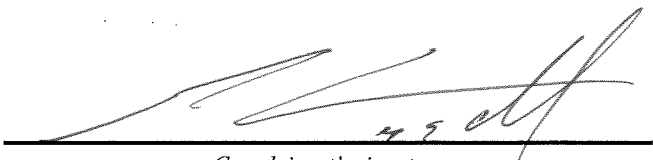
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of September 27, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Pedro Manuel Celaya-Monge, an alien, was found in the United States of America at or near Litchfield Park, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about September 14, 2004, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).


I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

**See Attached Statement of Probable Cause Incorporated By Reference Herein**REVIEWED BY: <sup>CEB</sup> Charles E. Bailey, P.S. for Jillian Besancon☒ Continued on the attached sheet.
  
Complainant's signature

Marcus D. Leggett,  
Deportation Officer  
Printed name and title

Sworn to before me and signed in my presence.

Date: September 28, 2017
  
Judge's signature
City and state: Phoenix, Arizona

Michelle H. Burns,  
United States Magistrate Judge  
Printed name and title

### STATEMENT OF PROBABLE CAUSE

I, Marcus D. Leggett, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On September 27, 2017, while following a lead, the Phoenix ICE Fugitive Operations Unit (FUGOPS) encountered Pedro Manuel Celaya-Monge during a vehicle stop, at 4337 W. 192<sup>nd</sup> Lane, in Litchfield Park, Arizona. At the scene, ICE FUGOPS officers interviewed Celaya-Monge and determined him to be a citizen of Mexico, illegally present in the United States. On the same date, Celaya-Monge was transported to the Phoenix ICE office for further investigation and processing. Celaya-Monge was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Pedro Manuel Celaya-Monge to be a citizen of Mexico and a previously deported criminal alien. Celaya-Monge was removed from the United States to Mexico at or near Nogales, Arizona, on or about September 14, 2004, pursuant to the reinstatement of a removal order issued by an immigration

judge. There is no record of Celaya-Monge in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Celaya-Monge's immigration history was matched to him by electronic fingerprint comparison.

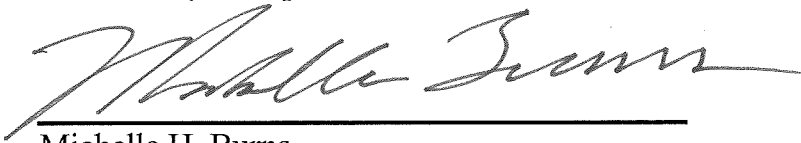
4. Criminal history checks revealed that Pedro Manuel Celaya-Monge was convicted of Endangerment, a felony offense, on June 25, 2004, in the Superior Court of Arizona, Maricopa County. Celaya-Monge was sentenced to three (3) years' probation. Celaya-Monge's criminal history was matched to him by electronic fingerprint comparison.
5. On September 27, 2017, Pedro Manuel Celaya-Monge was advised of his constitutional rights. Celaya-Monge freely and willingly acknowledged his rights and declined to provide a statement under oath.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about September 27, 2017, Pedro Manuel Celaya-Monge, an alien, was found in the United States of America at or near Litchfield Park, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about September 14, 2004, and not having obtained the express consent of the Secretary of the Department of Homeland

Security to reapply for admission thereto; in violation of Title 8, United States Code,  
Section 1326(a), and enhanced by (b)(1).



Marcus D. Leggett,  
Deportation Officer,  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 28<sup>th</sup> day of September, 2017.



Michelle H. Burns,  
United States Magistrate Judge